

TENNESSEE REGULATORY AUTHORITY

Melvin Malone, Chairman
Lynn Greer, Director
Sara Kyle, Director

460 James Robertson Parkway
Nashville, Tennessee 37243-0505

April 24, 2000

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th St., S.W.
Room TW-A325
Washington, DC 20554

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APR 26 2000

FCC MAIL ROOM

Re: Supplemental Information to the Matter of the Tennessee Regulatory Authority Petition For Additional Delegated Authority to Implement Numbering Conservation Measures (CC Docket 99-200)

Dear Ms. Salas:

On November 16, 1999, the Tennessee Regulatory Authority petitioned the Federal Communications Commission ("FCC") for additional delegated authority to implement numbering conservation measures.¹ The measures for which delegated authority was requested included:

1. Enforcement of current numbering allocation standards and establishment and enforcement of new standards.
2. Setting fill rates and requiring utilization surveys.
3. Reclamation of unused and reserved NXX codes and portions of those codes.
4. Order number utilization and forecasting reporting, and audit such reporting.
5. Implementing mandatory thousands-block number pooling.

On March 31, 2000, the FCC released its much anticipated Report and Order and Further Notice of Proposed Rule Making (FCC 00-104 CC 99-200) (Hereafter referred as the "Order") on Numbering Resource Optimization. Among the actions taken by the FCC in its Order was the additional requirement that States with pending petitions for delegated authority demonstrate that: "...1) that an NPA in its state is in jeopardy, 2) the

¹ CC Docket 99-200

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NPA in question has a remaining life span of at least a year, and 3) that NPA is in one of the largest 100 MSAs, or alternatively, the majority of wireline carriers in the NPA are Local Number Portability ("LNP") capable."²

By this letter the Tennessee Regulatory Authority is filing the required supplemental information to its petition for delegated authority to demonstrate that Tennessee meets the three conditions as required. Those demonstrations are listed below:

1. Tennessee must demonstrate that an NPA within the state is in jeopardy.

On March 16, 2000, after the initial planning meeting for NPA 901 relief, NeuStar (the North American Numbering Plan Administrator ("NANPA")) informed the Industry and the Tennessee Regulatory Authority that NPA 901 was in jeopardy. On March 31, 2000, NANPA held an industry meeting regarding the 901 jeopardy procedures to be implemented, and on April 1, 2000 final extraordinary jeopardy procedures were initiated (Exhibit A).

2. Tennessee must demonstrate that the NPA in question has a remaining life span of at least a year.

As reported by NANPA in its 1999 Central Office Code Utilization Survey ("COCUS"), published on January 18, 2000 (Exhibit B), Tennessee's NPA 901 has a projected exhaust date of the first quarter of 2002 (2002 1Q).

3. Tennessee must demonstrate that the NPA is in one of the largest 100 MSAs, or alternatively, the majority of wireline carriers in the NPA are LNP-capable.

The Memphis calling area is within the NPA 901. As listed in FCC 96-286, CC Docket No. 95-116, July 2, 1996, Appendix D, Memphis, Tennessee is within the NPA 901, and is listed as number 53 of the top 100 Metropolitan Statistical Areas ("MSAs") (Exhibit C).

The above information demonstrates that Tennessee meets the three requirements as set forth by the Federal Communications Commission in its Report and Order and Notice of Further Rule Making for Numbering Resource Optimization (Docket FCC 00-104 CC 99-200).

² FCC 00-104, ¶ 170.

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The Tennessee Regulatory Authority therefore respectfully requests expeditious consideration and approval of its Petition for Delegated Authority.

Thank you for your assistance and considerations in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "K. David Waddell". The signature is stylized with a large "K" and a long, flowing "Waddell".

K. David Waddell, Executive Secretary
Tennessee Regulatory Authority

Enclosures

cc: Chairman Melvin Malone
Director Lynn Greer
Director Sara Kyle
Janice M. Myles, FCC Common Carrier Bureau

EXHIBIT A



1120 Vermont Avenue NW, Ste 550
Washington, D.C. 20005

April 3, 2000

TO: Tennessee 901 NPA Code Holders and Other Industry Members

RE: Final Extraordinary Jeopardy Procedures for the Tennessee 901 Area Code

On Friday, March 31, 2000, the industry met and approved final extraordinary jeopardy procedures for the Tennessee 901 NPA that are effective with April 1, 2000 business. The approved procedures are attached along with the minutes from the conference call.

Any questions may be directed to me at 512-996-8757 or by email at linda.hymans@neustar.com or Dora Wirth, NANPA CO Code Administrator at 925-363-8745 or by email at dora.wirth@neustar.com.

A handwritten signature in cursive script, reading "Linda Hymans".

Linda Hymans,
NeuStar, Inc. NANPA
NPA Relief Planner, Central Region

Attachments

901 NPA (TENNESSEE)
Final Jeopardy Procedures
Extraordinary Code Conservation Measures

Introduction

This document describes Extraordinary Code Conservation Measures for managing central office codes (NXXs) for the duration of the jeopardy condition in this NPA. The purpose of this document is to ensure that all pertinent information is readily available to current and potential code holders. These procedures attempt to provide...

- fair and equitable treatment for all segments of the telecommunications industry
- the most effective means of managing the limited number of unassigned NXXs
- a selection of NPA-specific options for local industry consideration

Questions Questions regarding the content of this document may be directed to either the NANPA CO Code Administrator Dora Wirth or the NANPA NPA Relief Planner Linda Hymans. (Refer to the NANPA Web site, www.nanpa.com, for specific contact information.)

Introduction of New NPA

Planning Timeline	
Relief Milestones	Key Dates
<ul style="list-style-type: none">• Date on which this NPA was declared to be in Jeopardy	<i>March 16, 2000</i>
<ul style="list-style-type: none">• Estimated Mandatory Dialing of New NPA Begins (Overlay)	<i>September 17, 2001</i> <i>*Industry recommended date. Pending decision by TRA</i>
<ul style="list-style-type: none">• Estimated Earliest effective date for NXX activation in new NPA	<i>November 1, 2001</i> <i>*Industry recommended date. Pending decision by TRA. (See Notes 1 & 2)</i>

Notes:

Note 1: Target interval for NPA relief in order to calculate jeopardy allocation quantities

Note 2: Dates will be entered after receipt of relief plan decision from State Regulatory Commission

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Final Jeopardy Procedures
Extraordinary Code Conservation Measures

Submitting Code Requests

<p style="text-align: center;">Table A Key Dates and Requirements</p>		
Row	Key Points	Requirement
A.	Implementation of Extraordinary Code Conservation Measures	Code Conservation allocation begins <i>April 1, 2000</i>
B.	Minimum quantity of codes available for assignment ("base allocation"):	8 NXXs assigned per month (See Note 1)
C.	Maximum requests that may be submitted per month ("monthly submissions"):	5 requests allowed per OCN/Entity (See Note 2)
D.	First day and time code requests will be accepted ("submission start date"):	Part 1 received no earlier than... <i>4th</i> business day, 8:00 a.m., Pacific
E.	Last day and time code requests will be accepted ("submission deadline"):	Part 1 received no later than... <i>14th</i> business day, 4:00 p.m., Pacific
F.	Part 1 code requests to be faxed to NANPA CO Code Administrator:	<i>Dora Wirth</i> <i>Fax #: 925-363-8761</i> <i>Phone: NPA-925-363-8745</i>
G.	Requirements for participating in monthly allocation process:	Each request must meet all "Eligibility Requirements" (See Note 3a & Note 3b)
H.	When and how applicants will be notified of the disposition of their code request(s):	Part 3 issued on or before the end of the 10 th business day (Pacific Time) after the submission deadline (Note 4)
I.	Process that will be used to allocate available codes:	Monthly allocation process is identified on Table B & Table C.
J.	Code effective date for requests receiving an NXX assignment:	Effective date no less than 52 calendar days after NXX assigned (See Note 5)
K.	Method by which initial, growth and "new application" requests will receive a code:	Industry Option: one-pool (See Note 6)

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******* *“Submission Deadline” is the date on which the industry-standard 66-day processing interval begins*

****** *“Submission Start Date” sets the “submission interval” (period during which requests will be accepted)*

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Table A, Note 1 – “Base Allocation”:

- 1) Any part of a base allocation that is not assigned in an allocation month will carryover for assignment in the following month.
- 2) “Base allocation” is determined by dividing the number of codes available for assignment at implementation of these procedures by the estimated number of months remaining until the target start of mandatory dialing.
 - a) The base allocation quantity may be revised, upward or downward, depending upon the relief plan and schedule approved/ordered by the state Regulatory Commission.
 - b) The industry will reconvene via conference call approximately 5 months after these extraordinary measures have been implemented. The purpose will be to determine whether there is a need to adjust the base allocation figure and, if so, to what quantity.
- 3) In the event that NXXs are recovered during the jeopardy period, the “base allocation” will be recalculated to reflect the larger number of available codes.
 - a) The CO Code Administrator may adjust the monthly allocation as a result of code recovery without seeking industry consensus.
 - b) The CO Code Administrator will post on the NANPA Web site a notice of recalculated monthly allotment and provide a faxed notification. It is the responsibility of each code applicant to check the NANPA Web site, www.nanpa.com, at least monthly for such notice.

Table A, Note 2 – “Monthly Submissions”:

- 1) NXX codes will not be reserved.
- 2) Requests are to be specified as 1st, 2nd, up to 5th choice.
 - a) If an applicant submits multiple requests, but does not specify “choice,” the code administrator will assign 1st, 2nd, up to 5th choice based on the sequence in which the requests were received on the NANPA Code Administrator’s fax machine.
 - b) If an applicant submits more than 5 code requests (the maximum permitted), only the first 5 received will be accepted; any additional requests received that calendar month will be denied.

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Table A, Note 3 – “Eligibility Requirements, Basic Data”:

A code request must meet all eligibility requirements by the monthly “submission deadline” in order to be eligible to participate in that month’s code allocation process.

- 1) The Part 1 code request must be complete and accurate.
 - a) A valid NPA/LATA association must be provided.
 - b) A valid Rate Center/NPA association must be provided.
 - c) On the requested effective date, the specified rate center must physically reside within the boundaries of the specified NPA.
 - d) If the requested rate center will be moving to a new NPA and the requested effective date falls within the NPA split permissive dialing period, then the new NPA must be specified.
- 2) The specified OCN (Operating Company Number) must be validly assigned to the applicant.
 - a) Companies “doing business as” another company must have a “d/b/a” memo on file with the NANPA CO Code Administrator specifying affected company names and OCNs.
- 3) The code applicant must be certified to provide service in the requested NPA/rate center.
 - a) The type of certification (CPCN #, Docket #, letter of authorization, FCC license #, etc.) and certification date must be specified.
 - b) The type of entity requesting the service (franchised local exchange carrier, competitive local exchange service carrier, cellular company, paging company, PCS, etc.) must be specified.
 - c) The type of service to be provided by the requested code (end office, paging, cellular, PCS, etc.) must be specified.
- 4) The requested effective date may be no more that 6 months after the “submission deadline.”
- 5) Requests for a “growth” code must include the Months to Exhaust (“MTE”) Worksheet.

Table A, Note 4 – “Notification of Disposition, Suspended and Denied Requests”

- 1) Requests will be suspended if complete and correct Part 1 data (or local industry-specified supporting documentation) is not received by the allocation month’s submission deadline.
 - a) The request will be ineligible for participation in the allocation process until all eligibility requirements have been met.
 - b) If a request has been suspended, but required data (or industry-specified supporting documentation) is later received by the submission deadline of a subsequent month, the request will be included in that subsequent month’s code allocation process.

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- 2) Requests will be denied in the following situations:
 - a) The request is to reserve an NXX code.
 - b) The requested effective date is outside the allowable timeframe.
 - c) Code request(s) submitted by the OCN exceed the 5 per month maximum.
 - d) The applicant is not authorized/certified to provide the specified service in the requested NPA/rate center.

Table A, Note 5 – “Code Effective Date”

- 1) The Part 3 code effective date will reflect no less than 52 calendar days from the date on which the lottery is held (7 calendar days for AOCN processing and 45 calendar days for industry notification). 14 calendar days are for the CO Code processing time, which comprises the 66 days.
- 2) Expedited code effective dates will not be accepted.

Table A, Note 6 – Industry Option: “One- versus two-pool”

- 1) ***The local industry team determined there will be only one “pool” from which NXX code assignments will be made.***
 - a) There will be no distinction as to whether an applicant is a current code holder or a new market entrant.
 - b) There will be no distinction as to whether a request is for an initial code, growth code or “new application” (i.e., “specialized use”) of a code.

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Governing Principle for Code Allocation

In any given month, each OCN submitting an eligible request will receive one code before any OCN receives two codes; each OCN submitting eligible requests for more than one code will each receive two codes before any OCN receives additional codes.

The term "Code Allocation" refers to the means of determining which code requests will receive a CO code assignment in any given month. Lottery is one method of allocation.

Code Allocation Process

Table B Code Allocation Process		
When the total number of <u>Eligible Requests</u> received by the submission deadline is...	Then available codes will be allocated each month in the following manner...	And the effect upon the subsequent month(s) allocation will be...
<i>Equal To</i> the total number of codes available for assignment that month	Each request receives an NXX assignment	No effect; each available code will be assigned
<i>Less Than</i> the total number of codes available for assignment that month	Each request receives an NXX assignment	Remaining quantity of codes will carryover to the following month

Note: See Table C if the total number of eligible requests is Greater Than available codes

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<p style="text-align: center;">Table C Code Allocation Process</p>				
When <u>Eligible Requests are Greater Than</u> the number of available codes...		The following restrictions will apply...	Codes will be allocated in this manner...	And the effect on the following month will be...
<i>If the total number of OCNs submitting eligible Requests is...</i>	<i>Equal To</i> codes available for assignment that month	2 nd - and 5 th - choice code requests will be denied	Each OCN receives one NXX assigned to their 1 st -choice request	No effect; each available code will be assigned
	<i>Less Than</i> codes available for assignment that month	No restrictions	a) Each OCN receives at least one NXX assigned to their 1 st -choice request b) Lottery will be used to determine which OCN(s) receive the remaining code(s)	Any unassigned code quantity will carryover to the following month
	<i>Greater Than</i> codes available for assignment that month	2 nd - and 5 th -choice code requests will be denied	a) Only eligible 1st-choice requests will participate in the allocation process b) Lottery will be used to determine which OCN(s) receive a code assignment c) Some OCNs will receive an NXX; others will not	OCN's that do not receive a code in a given month's lottery will <u>not</u> have to resubmit a new Part 1 code request. Priority Numbers will NOT be assigned.

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Priority Numbers Option (Refer to Table C)

The local industry team determined the method by which code requests that do not receive an assignment in the lottery will be handled.

- 1) OCNs that do not receive a code in a given month's lottery will ***not*** have to resubmit a new Part 1 code request if the OCN still needs an NXX assignment; Priority Numbers will NOT be assigned with this option.

Modifications to These Procedures

These procedures will be modified in the following circumstances:

- 1) If, during Industry relief planning meetings, consensus is reached to add, modify or delete specific dates and intervals identified on Table A.

- OR -

- 2) If the State Commission NPA Relief Order specifies implementation dates that are different from those initially proposed by the industry relief planning team.

**Minutes
Tennessee 901 NPA
Jeopardy Conference Call
March 31, 2000**

WELCOME AND INTRODUCTIONS

Ms. Linda Hymans, NPA Relief Planner, NeuStar, Inc. NANPA, opened the meeting with introductions and objectives of the call. A list of attendees can be found at the end of this document.

Ms. Hymans stated that jeopardy was declared in the 901 NPA on March 16, 2000 and that the ATIS (Alliance for Telecommunications Solutions) approved industry consensus process will be followed. She reminded the industry of the consensus definition read on the prior portion of the conference call to review the minutes and industry recommendation for the 901 NPA relief plan.

NPA STATUS

Dora Wirth of NeuStar, Inc. NANPA Central Office Code Administration reviewed the current status of the 901 NPA.

<u>NPA</u>	<u>901</u>
Total Assigned NXXs	577
Protected	38
Reserved	3
Hold	3
Test NXXs	9
Unavailable NXXs	16
Available NXXs	154

Code Assignment History	<u>May '99</u>	<u>Jun '99</u>	<u>Jul '99</u>	<u>Aug '99</u>	<u>Sept '99</u>
	6	12	2	5	10
	<u>Oct '99</u>	<u>Nov '99</u>	<u>Dec '99</u>	<u>Jan '00</u>	<u>Feb '00</u>
	4	12	30	3	8
	<u>Mar '00</u>				
	22				

Notes:

Total Unavailable NXXs include the "odd" NXXs, e.g., N11, 950, 976, 700, etc.

Discussion took place about the number of unassignable NXX codes. Bell South advised that a list of unassignable codes for multiple states was sent to NANPA Code Administration and requested NANPA to review the list to see if any codes in the 901 NPA could be released for assignment. Ms. Cheryl Dixon, Senior Code Administrator, stated that the review of unassignable codes in the 901 NPA would be given priority. There was also discussion about the number of CLECs that were recently approved in TN 901 that may be establishing footprints.

CONSENSUS ON JEOPARDY

Ms. Hymans reviewed the previously distributed document of interim procedures and the proposed extraordinary final procedures. The attached extraordinary procedures reflect the industry's changes and consensus.

Based upon industry consensus that a possible September 17, 2001 mandatory dialing period and a November 1, 2001 earliest effective date for activation of an NXX in the new NPA be used as relief dates, Ms. Wirth determined 8 codes could be assigned per month. **Consensus was reached to assign 8 codes per month and to review that allocation in approximately five months.** Industry discussed the number of code requests allowed per month. It was proposed that five requests per OCN be allowed. **Consensus was reached for five requests.**

The industry discussed one versus two pools. **Consensus was reached to have one pool.**

Discussion about the two options for priority numbers ensued in detail. **Consensus was reached to use Option #2 that permits no priority numbers and with which it is not necessary to resubmit part 1s in the following month.**

Consensus was reached to adopt the procedures as modified on the call and to adopt the Final Extraordinary Jeopardy procedures beginning with April 1, 2000 business.

APPROVAL OF MINUTES

Any questions or corrections regarding these minutes may be directed to Linda Hymans, NPA Relief Planner, at 512-996-8757 or by e-mail at linda.hymans@neustar.com. You may also contact Dora Wirth, Code Administrator, at 925-363-8745 or by e-mail at dora.wirth@neustar.com.

ATTENDEES

Leslie Miklos	Adelphia Business Systems
Doug McCollough	Bell South
Jerry Jones	Bell South
Randy Hudson	Bell South
Cindy Wieties	Bell South Mobility
Teresa Karayiannis	Bell South Mobility
Kathy Rodgers	GTE Wireless
David Espinoza	Millington Telephone

Lisa Ball	Millington Telephone
Cheryl Dixon	NANPA Code Administration
Dora Wirth	NANPA Code Administration
Linda Hymans	NANPA NPA Relief Planning
Sandy Tokarek	NANPA NPA Relief Planning
Diane Welsh	Teletouch Communications
Carla Soellner	Time Warner
Terri Newkirk	Time Warner
Ellen Bryson	TN Telecommunications Association
Eddie Robertson	Tennessee Regulatory Authority
Lewis DeBoard	Tennessee Regulatory Authority



1120 Vermont Avenue NW, Ste 550
Washington, D.C. 20005

April 3, 2000

TO: Tennessee 901 NPA Code Holders and Other Industry Members

RE: Final Extraordinary Jeopardy Procedures for the Tennessee 901 Area Code

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Any questions may be directed to me at 512-996-8757 or by email at linda.hymans@neustar.com or Dora Wirth, NANPA CO Code Administrator at 925-363-8745 or by email at dora.wirth@neustar.com.

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Linda Hymans,
NeuStar, Inc. NANPA
NPA Relief Planner, Central Region

Attachments

901 NPA (TENNESSEE)

Final Jeopardy Procedures

Extraordinary Code Conservation Measures

Introduction

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Note 1: Target interval for NPA relief in order to calculate jeopardy allocation quantities

Note 2: Dates will be entered after receipt of relief plan decision from State Regulatory Commission

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Final Jeopardy Procedures
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Submitting Code Requests

Table A Key Dates and Requirements		
Row	Key Points	Requirement
A.	Implementation of Extraordinary Code Conservation Measures	Code Conservation allocation begins <i>April 1, 2000</i>
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F.	Part 1 code requests to be faxed to NANPA CO Code Administrator:	<i>Dora Wirth</i> <i>Fax #: 925-363-8761</i> <i>Phone: NPA-925-363-8745</i>
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K.	Method by which initial, growth and "new application" requests will receive a code:	Industry Option: one-pool (See Note 6)

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******* *“Submission Deadline” is the date on which the industry-standard 66-day processing interval begins*

****** *“Submission Start Date” sets the “submission interval” (period during which requests will be accepted)*

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Table A, Note 1 – “Base Allocation”:

- 1) Any part of a base allocation that is not assigned in an allocation month will carryover for assignment in the following month.
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Table A, Note 2 – “Monthly Submissions”:

- 1) NXX codes will not be reserved.
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 - a) If an applicant submits multiple requests, but does not specify “choice,” the code administrator will assign 1st, 2nd, up to 5th choice based on the sequence in which the requests were received on the NANPA Code Administrator’s fax machine.
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Table A, Note 3 – “Eligibility Requirements, Basic Data”:

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- 1) The Part 1 code request must be complete and accurate.
 - a) A valid NPA/LATA association must be provided.
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 - c) On the requested effective date, the specified rate center must physically reside within the boundaries of the specified NPA.
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- 3) The code applicant must be certified to provide service in the requested NPA/rate center.
 - a) The type of certification (CPCN #, Docket #, letter of authorization, FCC license #, etc.) and certification date must be specified.
 - b) The type of entity requesting the service (franchised local exchange carrier, competitive local exchange service carrier, cellular company, paging company, PCS, etc.) must be specified.
 - c) The type of service to be provided by the requested code (end office, paging, cellular, PCS, etc.) must be specified.
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- 5) Requests for a “growth” code must include the Months to Exhaust (“MTE”) Worksheet.

Table A, Note 4 – “Notification of Disposition, Suspended and Denied Requests”

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- 2) Requests will be denied in the following situations:
- a) The request is to reserve an NXX code.
 - b) The requested effective date is outside the allowable timeframe.
 - c) Code request(s) submitted by the OCN exceed the 5 per month maximum.
 - d) The applicant is not authorized/certified to provide the specified service in the requested NPA/rate center.

Table A, Note 5 – “Code Effective Date”

- 1) The Part 3 code effective date will reflect no less than 52 calendar days from the date on which the lottery is held (7 calendar days for AOCN processing and 45 calendar days for industry notification). 14 calendar days are for the CO Code processing time, which comprises the 66 days.
- 2) Expedited code effective dates will not be accepted.

Table A, Note 6 – Industry Option: “One- versus two-pool”

- 1) ***The local industry team determined there will be only one “pool” from which NXX code assignments will be made.***
- a) There will be no distinction as to whether an applicant is a current code holder or a new market entrant.
 - b) There will be no distinction as to whether a request is for an initial code, growth code or “new application” (i.e., “specialized use”) of a code.

901 NPA (TENNESSEE)
Final Jeopardy Procedures
Extraordinary Code Conservation Measures

Governing Principle for Code Allocation

In any given month, each OCN submitting an eligible request will receive one code before any OCN receives two codes; each OCN submitting eligible requests for more than one code will each receive two codes before any OCN receives additional codes.

The term "Code Allocation" refers to the means of determining which code requests will receive a CO code assignment in any given month. Lottery is one method of allocation.

Code Allocation Process

Table B Code Allocation Process		
When the total number of <u>Eligible Requests</u> received by the submission deadline is...	Then available codes will be allocated each month in the following manner...	And the effect upon the subsequent month(s) allocation will be...
<i>Equal To</i> the total number of codes available for assignment that month	Each request receives an NXX assignment	No effect; each available code will be assigned
<i>Less Than</i> the total number of codes available for assignment that month	Each request receives an NXX assignment	Remaining quantity of codes will carryover to the following month

Note: See Table C if the total number of eligible requests is Greater Than available codes